

**REGULAR MEETING
CITY COUNCIL
October 6, 2005**

ROLL CALL:

MR. WOJCIK, MR. DUNNE, MR. JUDGE, MR. KROGH, MR. MAHONEY, MRS. COLLIER, MS. MESSICK, MR. ARMET,
MRS. MAHAR DERGURAHIAN

ABSENT:

PUBLIC FORUM: LIST OF SPEAKERS ON FILE IN THE CLERK'S OFFICE

Ordinance No. 1 **Date** October 6, 2005
Introduced by Council Member President DerGurahian
At the request of Administration **Seconded by** Armet

ORD. #1

ORDINANCE AMENDING THE 2005 CITY BUDGET TO ACCEPT INSURANCE FUNDS AND TO
AUTHORIZE EXPENDITURE FOR REPLACEMENT OF A POLICE CAR

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy Police Budget is hereby amended by the acceptance of insurance funds paid to the City for transferring funds from insurance as provided in Schedule "A" entitled

2005 Budget Amendment

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, September 16, 2005

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor for Executive Action 10-07-05, **Approved 10-11-05 -Returned – 10-11-05**

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 2 Date October 6, 2005
 Introduced by Council Member President DerGurahian
 At the request of Administration Seconded by Messick
 ORD. #2

ORDINANCE AMENDING THE 2005 CITY BUDGET TO TRANSFER FUNDS WITHIN THE GENERAL
 FUND BUDGET LINES

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy 2005 budget is herein amended as set forth in Schedule A entitled:

October 2005 Budget Amendment

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, September 16, 2005

 David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor for Executive Action 10-07-05, Approved 10-11-05 -Returned – 10-11-05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 3 Date October 6, 2005
 Introduced by Council Member President DerGurahian
 At the request of Administration Seconded by Krogh

ORD. #3

ORDINANCE AUHORIZING GENERAL FUND TRANSFERS AND AMENDING THE 2005 CAPITAL
 FUND FOR THE PURPOSE OF FULLY FUNDING THE CITY-WIDE SIGNAGE PROGRAM

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy 2005 budget is herein amended as set forth in Schedule A entitled:

2005 Interfund Transfer

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, September 16, 2005

David Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor for Executive Action 10-07-05, Approved 10-11-05 -Returned – 10-11-05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 4 **Date** October 6, 2005
Introduced by Council Member Armet
At the request of Administration **Seconded by** Judge

ORD. #4

ORDINANCE AUTHORIZING AND DIRECTING THE
CITY PURCHASING AGENT OR A DESIGNEE TO SELL BICYCLES AND MISCELLANEOUS ITEMS
FROM THE POLICE PROPERTY ROOM AND MISCELLANEOUS OFFICE EQUIPMENT, AT PUBLIC
AUCTION

The City of Troy, convened in City Council, ordains as follows:

Section 1. The City Council directs the administration to auction bicycles and miscellaneous items from the Police Property Room and miscellaneous office equipment at public auction for fiscal year 2005.

Section 2. This ordinance shall take effect immediately.

Approved as to form, September 20, 2005

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:**Ayes: 9****Noes: 0****Abstain: 0****Sent to the Mayor for Executive Action 10-07-05, Approved 10-11-05 -Returned – 10-11-05**

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 5 **Date** October 6, 2005
Introduced by Council Member Collier
At the request of Administration **Seconded by** Armet

ORD. #5

**ORDINANCE AUTHORIZING AND DIRECTING SALE BY THE
PROPOSAL METHOD OF CITY OWNED REAL PROPERTY**

The City of Troy, in City Council convened, ordains as follows:

Section 1. Pursuant to Chapter 83 of the Code of Ordinances, the Bureau of Surplus Property accepted proposals on the hereinafter described property.

Section 2. The Mayor is hereby authorized and directed to sell and convey the hereinafter described real property to the following named purchaser for the sum below indicated which is hereby determined to be a fair price for the same without the necessity of competitive bidding and upon the terms and conditions set forth below.

Section 3. The purchaser, purchase price and terms and conditions of sale are as follows:

PURCHASER: Capital District Community Gardens

PURCHASE PRICE: **\$1.00** for each parcel plus advertising cost of \$25.00

TERMS AND CONDITIONS:

- A. Within thirty (30) days of the effective date of this ordinance the purchaser shall pay the purchase price, plus advertising cost and payment in lieu of City taxes through **December 31, 2005**, and Troy School taxes **through June 30, 2006**, or Lansingburgh School Taxes through **August 31, 2005** and execute a contract setting forth the conditions of sale as outlined in the annexed proposal and guaranteeing performance.
- B. Upon the 1st day of **January 2006**, taxes and other assessments shall become due and payable by the purchaser **except all water and sewer rents which shall be charged from the date of this conveyance.**
- C. This conveyance is made subject to the condition that the **structure be repaired** in conformance with the building, housing and fire prevention codes within six (6) months after the date of purchase. If the purchaser, his successor, or assigns shall fail to comply with this condition the City of Troy has a right to re-enter the property without refunding the purchase price.
- D. Purchaser shall be liable for and pay all closing costs related to this sale including, but not limited to: filing fees, deed stamps and attorneys fees.

Section 4. The said real property is described as follows: **271 and 273 Ninth Street.**

Section 5. The City Treasurer is hereby authorized to cancel any and all taxes and tax sale certificates now in existence except water and sewer rents which have not become liens and the City Treasurer is authorized to make appropriate notations upon the books and records of the City of Troy.

Section 6. This Ordinance shall take effect immediately.

Approved as to form, September 28, 2005

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor for Executive Action 10-07-05, Approved 10-11-05 -Returned – 10-11-05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Resolution No. 1 Date October 6, 2005
Introduced by Council Member President DerGurahian
At the request of Administration Seconded by Judge

RES. #1

RESOLUTION APPOINTING COMMISSIONER OF DEEDS

BE IT RESOLVED, that the City Council hereby appoints the following persons, as identified in Schedule "A", attached hereto and made a part hereof, Commissioners of Deeds for the City of Troy for the terms identified in Schedule "A".

Approved as to form, September 16, 2005

David B. Mitchell, Corporation Counsel

Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor for Executive Action 10-07-05, Approved 10-11-05 -Returned – 10-11-05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Resolution No. 2 Date October 6, 2005
 Introduced by Council Member Armet
 At the request of Administration Seconded by Dunne

Res. #2

RESOLUTION AUTHORIZING THE CITY TO ACCEPT A DEPARTMENT
 OF JUSTICE (DOJ) GRANT IN THE AMOUNT OF \$33,933.00 TO
 ALLOW FOR OVERTIME MONIES FOR UNIFORMED
 FOOT PATROLS IN THE DOWNTOWN BUSINESS DISTRICT

WHEREAS, the City of Troy had applied to the United States Department of Justice, Office of Programs, for funding under the FY 2005 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, and

WHEREAS, the funding from this grant shall be used for the overtime of uniformed foot patrols in the downtown business district in the City of Troy, and

WHEREAS, the City of Troy has received notification from the United States Department of Justice (DOJ) that the application for funding has been approved in the amount of \$33,933.00.

NOW, THEREFORE, BE IT RESOLVED The City Council of the City of Troy hereby authorizes and directs the Comptroller of the City of Troy to accept the Department of Justice JAG grant approval, in the amount of \$33,933.00, as provided for and in the manner prescribed in the grant approval letter, attached hereto and made a part hereof.

Approved as to Form, September 20, 2005

 David B. Mitchell, Corporation Counsel

Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor for Executive Action 10-07-05, Approved 10-11-05 -Returned – 10-11-05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Resolution No. 3 Date October 6, 2005
 Introduced by Council Member Collier
 At the request of Administration Seconded by Judge

Res. #3

RESOLUTION ACKNOWLEDGING THAT THE ADOPTION
OF THE LANSINGBURGH VILLAGE MASTER PLAN IS A TYPE II
ACTION UNDER THE NEW YORK STATE ENVIRONMENTAL
QUALITY REVIEW ACT (SEQRA) AND THE AGENCY HAS NO
FURTHER RESPONSIBILITIES UNDER 6 NYCRR PART 617

WHEREAS, Section 617.5 of NYCRR Part 617 states that actions identified in subdivision (c) of 617.5 are not subject to review under this part, as these actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under Article 8 of the Environmental Conservation Law, and

WHEREAS, the adoption of the Lansingburgh Village Master Plan falls under Number 21 and 22 of Section 617.5(c), as defined in the Memorandum of Support attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy hereby acknowledges that the adoption of the Lansingburgh Village Master Plan is a Type II action under the New York State Environmental Quality Review Act (SEQRA) and the Agency has no further responsibilities under 6 NYCRR Part 617.

Approved as to Form, September 28, 2005

David B. Mitchell, Corporation Counsel

Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor for Executive Action 10-07-05, Approved 10-11-05 -Returned – 10-11-05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Resolution No. 4 **Date** October 6, 2005
Introduced by Council Member Collier
At the request of Administration **Seconded by** Armet

Res. #4

RESOLUTION AUTHORIZING THE CITY COUNCIL TO ADOPT THE LANSINGBURGH VILLAGE
MASTER PLAN (ORIGINALLY KNOWN
AS THE 112TH STREET CORRIDOR STUDY)

WHEREAS, on March 7, 2002, the City Council approved Ordinance No. 8 establishing a Capital Project Fund Budget to support the 112th Street Corridor Study and transferring funds from the 2000 Capital Project Budget to support the 112th Street Corridor Study, and

WHEREAS, on March 7, 2002, the City Council approved Resolution No. 6 authorizing the implementation and funding, in the first instance 100 percent of Federal aid eligible costs of the transportation Federal aid project to fully fund the local share of Federal eligible and ineligible project costs and appropriated funds therefor for Lansingburgh 112th Street Corridor Study, and

WHEREAS, the purpose of this Resolution is to provide a plan for making the 112th Street area of Lansingburgh a livable community in which the “urban village” is safe and humane and to provide a basis for decisions and plans to be incorporated into a City-wide comprehensive plan at a later date.

NOW, THEREFORE, BE IT RESOLVED, that the City of Troy City Council hereby adopts the Lansingburgh Village Master Plan (originally known as the 112th Street Corridor Study).

Approved as to Form, September 28, 2005

David B. Mitchell, Corporation Counsel

Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor for Executive Action 10-07-05, Approved 10-11-05 -Returned – 10-11-05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Meeting adjourned 8:30 pm.